

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

APRIL ASKEW,

Defendant.

No. 09-30168-DRH

ORDER

HERNDON, Chief Judge:

This matter was referred to United States Magistrate Judge Clifford J. Proud for the specific purpose of conducting a change of plea for Defendant Askew, pursuant to **28 U.S.C. § 636, LOCAL RULE 72.1(b)(2)** and Defendant Askew's consent (Doc. 24). Pursuant to **FEDERAL RULE OF CRIMINAL PROCEDURE 11**, the change of plea hearing was held on January 15, 2010 (Doc. 26). During the change of plea, Defendant Askew plead guilty to Count 1 of the Indictment, conspiracy to distribute and possess with intent to distribute marijuana, following a thorough colloquy with Judge Proud. Also during the change of plea hearing, the Government orally agreed that prior to sentencing the forfeiture claim in Count 2 would be withdrawn. Thereafter, Judge Proud issued a Report and Recommendation ("the Report") recommending that the Court accept Defendant Askew's plea of guilty (Doc. 30).

In accordance with **28 U.S.C. § 636(b)(1)(B)**, the parties were allowed

fourteen days to file written objections. As of this date, neither party has filed an objection. Therefore, the Court **ADOPTS** the Report in its entirety. Thus, it is the finding of the Court in the case of *United States v. April Askew*, that Defendant Askew was fully competent and capable of entering an informed plea, that she was aware of the nature of the charges and the consequences of the plea, and that the plea of guilty was a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. Accordingly, the Court **ACCEPTS** Defendant Askew's guilty plea and **ADJUDGES** her **GUILTY** on Count 1 of the Indictment. Further, the Court **FINDS** that the parties agreed that the forfeiture claim contained in Count 2 would be withdrawn by the Government. The Court **REMINDS** the parties that this matter for sentencing on May 7, 2010 at 2:30 p.m.

IT IS SO ORDERED.

Signed this 3rd day of February, 2010.

/s/ David R. Herndon

Chief Judge
United States District Court